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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2006-0028]

MET Laboratories, Inc.: Grant of Expansion of Recognition and Modification to the NRTL Program's List of Appropriate Test Standards

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: In this notice, OSHA announces the final decision to expand the scope of recognition for MET Laboratories, Inc., as a Nationally Recognized Testing Laboratory (NRTL). Additionally, OSHA announces its final decision to add two new test standards to the NRTL Program's List of Appropriate Test Standards.

DATES: The expansion of the scope of recognition becomes effective on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Information regarding this notice is available from the following sources:

Press inquiries: Contact Mr. Frank Meilinger, Director, OSHA Office of Communications; telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

General and technical information: Contact Mr. Kevin Robinson, Director, Office of Technical Programs and Coordination Activities, Directorate of Technical Support and Emergency Management, Occupational Safety and Health Administration; telephone: (202) 693-2110; email: robinson.kevin@dol.gov. OSHA's webpage includes

information about the NRTL Program (see <http://www.osha.gov/dts/otpc/nrtl/index.html>).

SUPPLEMENTARY INFORMATION:

I. Notice of Final Decision

OSHA hereby gives notice of the expansion of the scope of recognition of MET Laboratories, Inc. (MET), as a NRTL. MET's expansion covers the addition of three test standards to its scope of recognition, including two test standards that will be added to the NRTL Program's List of Appropriate Test Standards.

OSHA recognition of a NRTL signifies that the organization meets the requirements specified by 29 CFR 1910.7. Recognition is an acknowledgment that the organization can perform independent safety testing and certification of the specific products covered within its scope of recognition and is not a delegation or grant of government authority. As a result of recognition, employers may use products properly approved by the NRTL to meet OSHA standards that require testing and certification of the products.

The Agency processes applications by a NRTL for initial recognition, or for expansion or renewal of this recognition, following requirements in Appendix A to 29 CFR 1910.7. This appendix requires that the Agency publish two notices in the *Federal Register* in processing an application. In the first notice, OSHA announces the application and provides its preliminary finding and, in the second notice, the Agency provides its final decision on the application. These notices set forth the NRTL's scope of recognition or modifications of that scope. OSHA maintains an informational webpage for each NRTL that details its scope of recognition. These pages are available from the Agency's website at <http://www.osha.gov/dts/otpc/nrtl/index.html>.

MET submitted an application, dated November 8, 2016, (OSHA-2006-0028-0041) to expand its recognition to include four additional test standards. OSHA staff performed a detailed analysis of the application packet and reviewed other pertinent information. OSHA did not perform any on-site reviews in relation to this application.

OSHA published the preliminary notice announcing MET's expansion application in the *Federal Register* on February 9, 2018 (83 FR 5318). The Agency requested comments by February 26, 2018, but it received no comments in response to this notice. In the preliminary notice, OSHA included all four test standards that MET requested to add to its scope of recognition. However, due to an inadvertent error, OSHA listed a proposed test standard as already on the NRTL List of Appropriate Test Standards, which it was not. To allow notice to stakeholders, OSHA will later re-propose to add the test standard MET requested to MET's scope of recognition and the NRTL List of Appropriate Test Standards. OSHA now is proceeding with this final notice to grant expansion of MET's scope of recognition for the other three standards.

To obtain or review copies of all public documents pertaining to MET's application, go to <http://www.regulations.gov> or contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N-3653, Washington, DC 20210. Docket No. OSHA-2006-0028 contains all materials in the record concerning MET's recognition.

II. Final Decision and Order

OSHA staff examined MET's expansion application, its capability to meet the requirements of the test standards, and other pertinent information. Based on its review of this evidence, OSHA finds that MET meets the requirements of 29 CFR 1910.7 for expansion of its recognition, subject to the limitation and conditions listed below.

OSHA, therefore, is proceeding with this final notice to grant MET’s scope of recognition. OSHA limits the expansion of MET’s recognition to testing and certification of products for demonstration of conformance to the test standards listed in Table 1.

Table 1
List of Appropriate Test Standards for Inclusion in MET’s NRTL Scope of Recognition

Test Standard	Test Standard Title
UL 60745-2-15	Hand-Held Motor-Operated Electric Tools – Safety – Part 2-15: Particular Requirements for Hedge Trimmers
UL 61010-2-101*	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2-101: Particular Requirements for In Vitro Diagnostic (IVD) Medical Equipment
UL 61010-2-51*	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2-051: Particular Requirements for Laboratory Equipment for Mixing and Stirring

*Indicates standards that OSHA is adding to the NRTL Program’s List of Appropriate Test Standards.

In this notice, OSHA also announces the addition of two new test standards to the NRTL Program’s List of Appropriate Test Standards. Table 2, below, lists the test standards that are new to the NRTL Program. OSHA has determined that these test standards are appropriate test standards and will include them in the NRTL Program’s List of Appropriate Test Standards.

Table 2

Test Standards OSHA is adding to the NRTL Program's

List of Appropriate Test Standards

Test Standard	Test Standard Title
UL 61010-2-101	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2-101: Particular Requirements for In Vitro Diagnostic (IVD) Medical Equipment
UL 61010-2-51	Safety Requirements for Electrical Equipment for Measurement, Control and Laboratory Use – Part 2-051: Particular Requirements for Laboratory Equipment for Mixing and Stirring

OSHA's recognition of any NRTL for a particular test standard is limited to equipment or materials for which OSHA standards require third-party testing and certification before using them in the workplace. Consequently, if a test standard also covers any products for which OSHA does not require such testing and certification, a NRTL's scope of recognition does not include these products.

The American National Standards Institute (ANSI) may approve the test standards listed above as American National Standards. However, for convenience, the use of the designation of the standards-developing organization for the standard as opposed to the ANSI designation may occur. Under the NRTL Program's policy (see OSHA Instruction CPL 1-0.3, Appendix C, paragraph XIV), any NRTL recognized for a particular test standard may use either the proprietary version of the test standard or the ANSI version of that standard. Contact ANSI to determine whether a test standard is currently ANSI-approved.

A. Conditions

In addition to those conditions already required by 29 CFR 1910.7, MET must abide by the following conditions of the recognition:

1. MET must inform OSHA as soon as possible, in writing, of any change of ownership, facilities, or key personnel, and of any major change in its operations as a NRTL, and provide details of the change(s);
2. MET must meet all the terms of its recognition and comply with all OSHA policies pertaining to this recognition; and
3. MET must continue to meet the requirements for recognition, including all previously published conditions on MET's scope of recognition, in all areas for which it has recognition.

Pursuant to the authority in 29 CFR 1910.7, OSHA hereby expands the scope of recognition of MET Inc., subject to the limitation and conditions specified above.

III. Authority and Signature

Loren Sweatt, Deputy Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the Agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 1-2012 (77 FR 3912, Jan. 25, 2012), and 29 CFR 1910.7.

Signed at Washington, DC, on May 4, 2018.

Loren Sweatt,
Deputy Assistant Secretary of Labor for Occupational Safety and Health.

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